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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ARIZONA

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12 UNITED STATES OF AMERICA,)
13 Plaintiff,) No. 00-pt-51 PHX RCB
14 Vs.) O R D E R
15 KEVIN LAMONT PIERCE,)
16 Defendant.)
17 _____)

18 Defendant has filed a motion entitled "Motion for Fast and
19 Speedy Trial and/or Dismissal of Charges." In his motion Defendant
20 asserts that his right to a speedy trial has been breached and, for
21 that reason, the charges against him should be dismissed.

22 The government has filed a response indicating that since
23 Defendant's supervised release expired on October 19, 2003, over
24 two months after an August 6, 2003 revocation petition was filed,
25 not under oath, this Court has lost jurisdiction over the
Defendant. The government requests that the warrant be quashed and
a subsequent April 14, 2004 superseding petition be dismissed. The
government's response is well taken.

1 IT IS ORDERED that Defendant's Motion to dismiss (doc. #6) is
2 granted and the Superseding Petition on Supervised Release
3 Revocation is dismissed.

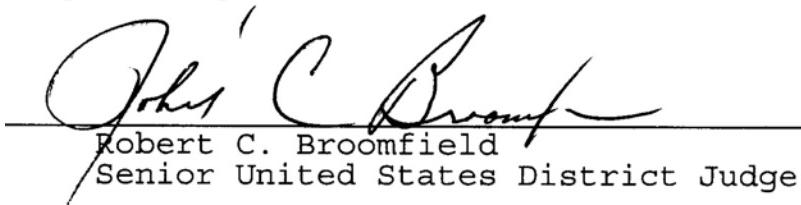
4 IT IS FURTHER ORDERED quashing the warrant issued in
5 connection with the original Supervised Release Revocation Petition
6 and the Superseding Supervised Release Revocation Petition are
7 quashed.

8 IT IS FURTHER ORDERED directing the Clerk of this Court to
9 transmit a certified copy of this Order to the Bureau of Prisons
10 at:

11 Director, Bureau of Prisons
12 320 First Street, NW
12 Washington, D.C. 20534

13 Howard McLeod Correctional Center
14 1970 East Whippoorwill Lane
Atoka, Oklahoma 74525

15 DATED this 10th day of July, 2005.

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17 _____
18 Robert C. Broomfield
19 Senior United States District Judge

20
21 Copies to Kevin Lamont Pierce #471712
O.S.R. C-4-6
22 P. O. Box 514
23 Granite, OK 73547

24 Darcy A. Cerow, Esq.
Assistant United States Attorney

25 Adelina Bustamante
United States Probation Officer

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